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Attorney for Defendant, MICH 424 PARK LLC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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WELLS FARGO BANK, NATIONAL
ASSOCIATION, AS TRUSTEE FOR THE
REGISTERED HOLDERS OF AMHERST
PIERPOINT COMMERCIAL MORTGAGE
SECURITIES LLC, MULTIFAMILY
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2019-SB59

Docket No. 2:25-cv-00157-ES-JSA

ANSWER

Plaintiff

v.

MICH 424 PARK LLC

Defendant

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Defendant, MICH 424 PARK LLC, through counsel, The Law Office of Avram E. Frisch LLC,
answering the complaint says:

PARTIES, JURISDICTION AND VENUE

1. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.
2. Defendant admits that it is a New Jersey entity and that it is located at the referenced address but denies that Drillman is a citizen of New York State.
3. This Paragraph contains legal conclusions to which no response is necessary. To the extent a response is required, the allegations are denied.
4. This Paragraph contains legal conclusions to which no response is necessary. To the extent a response is required, the allegations are denied.

FACTS

5. Defendant admits the allegations of this Paragraph.
6. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
7. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
8. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
9. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.
10. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.

11. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.
12. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.
13. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.
14. Defendant lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph.
15. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
16. Defendant admits the allegations of this Paragraph.
17. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
18. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
19. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
20. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
21. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.
22. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

23. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

24. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

25. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

26. Defendant denies the allegations of this Paragraph.

27. This Paragraph contains legal conclusions to which no response is required, and to the extent a response is required, the allegations are denied.

28. Defendant denies the allegations of this Paragraph.

29. Defendant denies the allegations of this Paragraph.

30. Defendant denies the allegations of this Paragraph.

31. Defendant denies the allegations of this Paragraph.

32. Defendant denies the allegations of this Paragraph.

33. Defendant denies the allegations of this Paragraph.

34. This Paragraph contains legal conclusions to which no response is required, and to the extent a response is required, the allegations are denied.

35. This Paragraph contains legal conclusions to which no response is required, and to the extent a response is required, the allegations are denied.

36. Defendant denies the allegations of this Paragraph.

37. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

38. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

39. Defendant denies the allegations of this Paragraph.

40. This Paragraph contains legal conclusions to which no response is required, and to the extent a response is required, the allegations are denied.

41. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

42. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

43. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

44. Defendant denies the allegations of this Paragraph.

45. Defendant denies the allegations of this Paragraph.

46. Defendant denies the allegations of this Paragraph.

47. Defendant denies the allegations of this Paragraph.

COUNT I

48. Defendant repeats each and every response to the preceding paragraphs as if fully set forth herein.

49. Defendant admits executing the note, but otherwise denies the allegations of this Paragraph.

50. Defendant denies the allegations of this Paragraph.

51. Defendant denies the allegations of this Paragraph.

52. Defendant denies the allegations of this Paragraph.

WHEREFORE, Defendant demands dismissal of the action without prejudice.

COUNT II

53. Defendant repeats each and every response to the preceding paragraphs as if fully set forth herein.

54. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

55. Defendant refers the Court to the original of the documents alleged for their true contents and otherwise denies the allegations of this Paragraph.

56. Defendant denies the allegations of this Paragraph.

57. This Paragraph contains legal conclusions to which no response is required, and to the extent a response is required, the allegations are denied.

58. This Paragraph contains legal conclusions to which no response is required, and to the extent a response is required, the allegations are denied.

WHEREFORE, Defendant demands dismissal of the action without prejudice.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Plaintiff's claims fail to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

The Plaintiff's claim is barred because of the Plaintiff's failure to add indispensable parties.

THIRD AFFIRMATIVE DEFENSE

The Plaintiff's claims are barred because of the doctrines of unclean hands, laches, waiver, and avoidable consequences.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff failed to mitigate its damages.

Hackensack, New Jersey
Dated: March 24, 2025

THE LAW OFFICE OF AVRAM E.

FRISCH LLC

/s/ Avram E. Frisch
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Attorney for Defendant

CERTIFICATION PURSUANT TO LOCAL RULE 11.2

Pursuant to Local rule 11.2, the undersigned certifies that to the best of his knowledge, the within matter in controversy is not the subject of any other action pending in any other Court or of a pending arbitration proceeding nor is any action or arbitration contemplated nor are other parties required to be joined in this action.

Hackensack, New Jersey

Dated: March 24, 2025

/s/ Avram E. Frisch AVRAM E. FRISCH, ESQ.

Attorney for Plaintiff